

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

Call to Order: By **CHAIRMAN BOB DAVIES**, on January 10, 2001 at 8:30 A.M., in Room 317-B Capitol.

ROLL CALL

Members Present:

Rep. Bob Davies, Chairman (R)
Sen. Jack Wells, Vice Chairman (R)
Rep. John Brueggeman (R)
Rep. Monica Lindeen (D)
Sen. Bea McCarthy (D)
Sen. Corey Stapleton (R)

Members Excused: None.

Members Absent: None.

Staff Present: Greg DeWitt, Legislative Branch
Mary Beth Linder, OBPP
Cyndie Lockett, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Department of Administration -
State Personnel, 1/10/2001;
Risk Management and Tort
Defense, 1/10/2001; State Tax
Appeal Board, 1/10/2001

Executive Action:

{Tape : 1; Side : A; Approx. Time Counter : 0 - 30}

Chairman Davies called the meeting to order. He turned the meeting over to **John McEwen, State Personnel Director** to give a closing statement and answer questions from the subcommittee.

Mr. McEwen discussed that his program will be improving the recruitment process and may need some more discussion on this issue before the session ends. He wants the state to have more of a centralized control when recruiting and when advertising for state jobs.

Sen. Wells asked **Mr. McEwen** if there was a way the subcommittee could assist his program in getting a more centralized environment between agencies. **Mr. McEwen** responded that their task force would get together and discuss these issues and get back to the committee.

Mr. McEwen started to discuss and answer questions on the day care center.

Sen. Stapleton asked if the day care center was offered anywhere else in the state to state workers. The day care is only offered in Helena.

Chairman Davies asked if the fees charged cover the cost of the day care program. It costs \$325 a month for children 2 years and up and below 2 years it cost \$375.

Sen. McCarthy asked if there were kids going to this day care that were not associated with state employees. **Mr. McEwen** said there non-state employees children(children on state assistance) attending the day care.

Chairman Davies asked **Mr. McEwen** what the bottom line is with this day care center. He replied we need authority to collect \$28,000 from all state agencies for funding the center by paying rent and by having skilled people to take care of the kids. It will benefit the state by helping recruit state employees who have kids or plan on having kids.

Sen. Stapleton asked if the day care center could pay its own rent. **Mr. McEwen** said this little bit of money helps lessen the load on the state employee and also brings good skilled people as caretakers. **Sen. Stapleton** asked how much would be charged on top of what already is being charged to have the rent be paid from the day care service not the other agencies. **Mr. McEwen**

said it figured out to be about \$22 a child per month.

Sen. Stapleton asked if the State Personnel Division had done any research on how this impacted the private day care owners. Does the subsidized government day care cause issues with the private day care owner. **Mr. McEwen** felt that there was no one being effected.

Sen. Stapleton wanted to know if this place where the day care center is located is safe. He referred to Oklahoma City bombing. **Mr. McEwen** said that the building is in a residential neighbor and that it was safe.

Mr. DeWitt commented that his office had a few issues with the wording of the **DP1**. Refer to page A-174 to look at the LFD Issue. **Mr. DeWitt** asked if the intention was to have the day care center self efficient. **Mr. McEwen** said yes. He then handed out **EXHIBIT (jgh07a01)** to help clear up the issues that LFD came up with.

Chairman Davies said there was a conflict between what was being said in the two resources being presented. **Mr. McEwen** agreed that it needs to be looked at and the wording cleaned up for the subcommittee to take a vote on it. **Mr. DeWitt** agreed also that things have to be straighten out. The statement came from **Chairman Davies** that this day care is effecting the private sector by having non-state employees' kids attending. **Chairman Davies** also wanted to know the count of kids at the day care and how many were non-state employee kids. The numbers were state employees kids 36 while the non-state was 18. Refer to **EXHIBIT (1)**.

{Tape : 1; Side : B; Approx. Time Counter : 30 - 60}

Mr. McEwen discussed Professional Development Center and how it worked. He explained the increased rates and why it took place.

Sen. Stapleton told **Mr. McEwen** that the subcommittee's job is not to recruit state workers. **Sen. Stapleton** felt that the subcommittee is not to play favorites. **Chairman Davies** interrupted **Sen. Stapleton** by asking him to wait for this in depth discussion on the day care center and recruitment of state employees for the executive action meeting.

Chairman Davies introduced the next speaker **Brett Dahl**, **Administrator for Risk Management & Tort Defense**.

Mr. Dahl explained his program's mission statement and gave cases that have come about that have demanded their expertise. He also provided handouts to follow his slides **EXHIBIT(jgh07a02)**.

{Tape : 2; Side : A; Approx. Time Counter : 0 - 18}

Sen. Wells asked is there was something in the rules to pursue the individual for accountability in some of these cases. **Mr. Dahl** explained that state employees are always represented (due to the Tort Act) so no matter what, his council must defend all cases on behalf of the state. If they lose or win it reflects the State, so if money has to be paid out the state must pay.

Sen. McCarthy asked about the 3 positions they are requesting to be funded and how much each position will be paid. **Mr. Dahl** said the range of pay is \$38,000 to \$40,000 for two of them and one about \$20,000.

Chairman Davies asked how frequently embezzlement occurs. **Mr. Dahl** answered that it's very infrequent and the state has no issues with it until 1998 and in that year there were 3 cases.

Chairman Davies interrupts **Mr. Dahl** and lets him know that he must continue tomorrow because of a meeting all the subcommittee must go to.

Mr. DeWitt lets the subcommittee know before they adjourn that this program is entirely proprietary funded.

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND
TRANSPORTATION

January 10, 2001

PAGE 5 of 5

ADJOURNMENT

Adjournment: 9:45 A.M.

REP. BOB DAVIES, Chairman

CYNDIE LOCKETT, Secretary

BD/CL

EXHIBIT (jgh07aad)